

TTAB

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10-20-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

4 Attorneys for Applicant
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8 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
9 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

10 BIOGEN, INC.,
11 Opposer,
12 v.
13 VIAGEN, INC.,
14 Applicant.

Opposition No. 91157307

**STIPLULATED MOTION TO
EXTEND TIME TO ANSWER OR
OTHERWISE RESPOND**

15
16 Applicant requests a thirty (30) day extension of time until November 19, 2003 to answer
17 or otherwise respond to the Notice of Opposition in the above-referenced proceeding. The parties
18 are engaged in settlement negotiations, and the additional time is needed to explore that
19 possibility. Roberta Jacobs-Meadway, attorney for Opposer, agreed to this extension by email on
20 October 15, 2003.

21 Dated: October 20, 2003

ROSEMARY S. TARLTON
MORRISON & FOERSTER LLP

22
23 By: 
24 Rosemary S. Tarlton

25 Attorneys for Applicant
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PROOF OF SERVICE BY MAIL

I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

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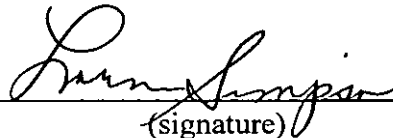
on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105, in accordance with Morrison & Foerster's ordinary business practices:

**Roberta Jacobs-Meadway
Ballard Spahr Andrews & Ingersoll, LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at San Francisco, California, this 20th day of October, 2003.

Lorna Simpson
(typed)


(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BIOGEN, INC.,

Opposer,

v.

VIAGEN, INC.,

Applicant.

Opposition No. 91157307

**STIPULATED MOTION TO
EXTEND TIME TO ANSWER OR
OTHERWISE RESPOND**

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Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Commissioner:

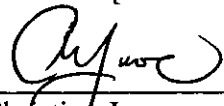
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Date of Deposit: October 20, 2003

I hereby certify that the attached Stipulated Motion to Extend Time to Answer or Otherwise Respond; Proof of Service by Mail and receipt verification postcard are being deposited with the United States Postal Service Express Mail delivery as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above, and is addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

Respectfully submitted,

By: _____


Christine Jumoc